

FROMMER LAWRENCE & HAUG LLP

745 Fifth Avenue
New York, New York 10151
Telephone: (212) 588-0800
Facsimile: (212) 588-0500
E-mail: Firm@flhlaw.com

FACSIMILE COVER LETTER

To: Ms. Alesia Brown
Firm: United States Patent and Trademark Office, Office of Petitions
Facsimile: (703) 308-6916
From: Angela M. Nigro
Date: April 10, 2003
Re: U.S.S.N. 09/555,544
Number of Pages: 36
(including cover page)

If you do not receive all pages or are unable to read the transmission, please call and ask for Angela (Ext. 2198).

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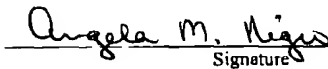
PATENT
674556-2004**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : CHOY and CHANG
Serial No. : 09/555,544
For : MATERIAL DEPOSITION
Filed : August 1, 2000
Examiner : Sean E. Vincent
Art Unit : 1731

745 Fifth Avenue
New York, NY 10151**FACSIMILE**

I hereby certify that this paper is being facsimile transmitted
to the Patent and Trademark Office on the date shown below.

Angela M. Nigro, Reg. No. 51,107

Type or print name of
person signing certification
SignatureApril 10, 2003
Date of Signature**COMMUNICATION RESUBMITTING PETITION UNDER 37 C.F.R. §1.182 AND/OR
PETITION UNDER 37 C.F.R. §1.183 FOR SUSPENSION OF 37 C.F.R. §1.12**Commissioner for Patents
Box DAC
Washington, D.C. 20231

Dear Sir:

Further to the April 10, 2003 conversation with Alesia Brown, for which Ms. Brown is thanked for the courtesies extended therein, the undersigned hereby submits for consideration the Petition under 37 C.F.R. §1.182 and/or 37 C.F.R. §1.183 which was originally submitted on July 19, 2002. As evidence thereof, copies of the Express Mail Label and the return receipt postcard stamped by the Patent Office are enclosed. Also enclosed are copies of check numbers 21997

PATENT
674556-2004

and 21998 which were cashed by the Patent Office as shown by the endorsement on the back of each check.

Should the submission of this paper require any fee, the Commissioner is hereby authorized to charge any such fee, or credit any overpayment in fees, to Deposit Account 50-0320.

An early and favorable decision on the enclosed Petition is respectfully requested.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: Thomas J. Kowalski by Angela M. Nigro
Thomas J. Kowalski
Reg. No. 32,147
Angela M. Nigro
Reg. No. 51,107
(212) 588-0800


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TO: Commissioner For Patents
Box DAC
Washington, DC 20031

674556-2004 TJK/AMN

FOR PICKUP OR TRACKING CALL 1-800-222-1811
www.usps.com


Serial No. 09/555,544 File No. 674556-2004 By TJK/CD
Title In the Matter of the Application of Choi and Chung
The following due _____ in the U.S. Patent Office, was received in the Patent Office:
☐ Affidavit ☐ Declaration ☐ Express Mail Mailing Certificate \$40-
☐ Amendment ☐ (separate sheet) 2197
☐ Preliminary Amendment ☒ Check No. 2198 for \$ 130-
☐ Amendment After Final Rejection ☐ Deposit Account Order Form
☐ Request for Extension of Time ☐ Drawing _____ Sheet(s)
☐ Provisional Patent Application ☐ Information Disclosure Statement
☐ Application for Patent, including ☐ PTO Form 1449
 _____ Pages Specification _____ Claims ☐ Issue For Transmittal
☐ Declaration ☐ Oath ☐ Power ☐ Brief ☐ Letter
☐ Request for Filing Continuation or Divisional ☐ Application for TM Registration
 Application _____ sheets, in duplicate Including _____ Specimens
☐ File Wrapper Continuation Patent Application ☐ Status Request ☐ Notice of Appeal
 _____ sheets, in duplicate ☒ Petition ☐ Response
☐ PCT Request _____ sheets, including ☐ Priority Document
☐ Transmittal Letter to the US/RO ☐ Small Entity Declaration
☒ Assignment ☒ Recordation Cover Sheet

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FROMMER LAWRENCE & HAUG LLP

745 FIFTH AVENUE
NEW YORK, NY 10019PAY TO THE
ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

\$ 40.00

THE SUM OF DOLLARS

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CITIBANK N.A.

Private Banking Division

153 EAST 57TH STREET, 3000 FL
NEW YORK, NY 10019

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FROMMER LAWRENCE & HAUG LLP

NO 2149741 CO 2100000895 600 2149603

DETACH AND RETAIN THIS STATEMENT

FROMMER LAWRENCE & HAUG LLP

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT, PLEASE NOTIFY US PROMPTLY TO BE REOPENED.APPLICANT: Chow and CarolynSERIAL NO.: 097555-544FILE NO. DOCKET NO. 674556-2004TITLE: Method of Indexing

- ☐ APPEAL BRIEF
☐ APPEAL FEE
☐ CERTIFICATE OF CORRECTION
☐ DISCLAIMER
☐ EXTENSION OF TIME
☐ FEE FOR ADDED CLAIMS
☐ FILING FEE
☐ ISSUE FEE
☐ MAINTENANCE FEE
☐ MISSING PARTS
☐ NOTICE OF OPPOSITION

- ☐ PETITION FEE
☐ PETITION FOR CANCELLATION
☐ PETITION TO REVIVE
☒ RECORDING FEE
☐ REQUEST FOR ORAL HEARING
☐ SEC. 8 TM DECLARATION FEE
☐ STATEMENT OF USE
☐ TM RENEWAL

PLEASE CHARGE ANY ADDITIONAL FEES OR CREDIT OVER PAYMENT TO DEPOSIT ACCOUNT NO. 50-0320

CHARGE TO

NAME OF CLIENT OR ACCOUNT	FILE NO.	ATTORNEY	AMOUNT
Frye Heath	674556-2004	TJK/AMN	40

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FROMMER LAWRENCE & HAUG LLP

745 FIFTH AVENUE
NEW YORK, NY 10151

021998

July 19 2003

1-810/428

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ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

\$ 130.00

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DOLLARS

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Private Banking Division
150 EAST 53RD STREET 11001 HL
NEW YORK, NY 10022

FROMMER LAWRENCE & HAUG LLP

CHARGE ANY ADDL FEES TO DEPOSIT ACCT # 50-0320

Thomas Lawrence

NO 21998

CO 2100008 97

600 05798123

FROMMER LAWRENCE & HAUG LLP

DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT FOR FEES DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO REFUND DESIRED.APPLICANT *Chang and Wang*
SERIAL NO. *674556-544*
TITLE *Method of Deposition*FILE NO. DOCKET NO. *674556-2004*

- ☐ APPEAL BRIEF
☐ APPEAL FEE
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☐ STATEMENT OF USE
☐ TM RENEWAL

☒ PLEASE CHARGE ANY ADDITIONAL FEES OR CREDIT OVER PAYMENT TO DEPOSIT ACCOUNT NO. 50-0320

CHARGE TO

NAME OF CLIENT OR ACCOUNT	FILE NO.	ATTORNEY	AMOUNT
<i>Frye Heath</i>	<i>674556-2004</i>	<i>TSK/AMN</i>	<i>130</i>

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071898

FROMMER LAWRENCE & HAUG LLP
745 FIFTH AVENUE
NEW YORK, NY 10019

MAIL TO THE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, DC 20530

THE UNITED STATES OF AMERICA

BY BRANK RIA
Patent Attorney
110 EAST 57TH STREET, 20TH FL
NEW YORK, NY 10022

CHARGE AND NOTE HERE TO DEPOSIT AGENCY (10-200)

FROMMER LAWRENCE & HAUG LLP
Thomas Lawrence

NO. 1998 CD 1.00000057 FID 0574623

NO. 1998 CD 1.00000057 FID 0574623

THE UNITED STATES OF AMERICA

BY BRANK RIA
Patent Attorney
110 EAST 57TH STREET, 20TH FL
NEW YORK, NY 10022

CHARGE AND NOTE HERE TO DEPOSIT AGENCY (10-200)

FROMMER LAWRENCE & HAUG LLP
Thomas Lawrence

NO. 1998 CD 1.00000057 FID 0574623

PATENT
674556-2004**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

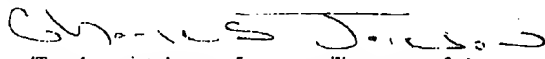
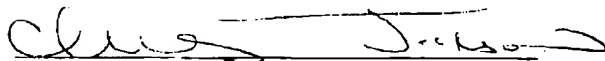
Applicant(s) : CHOY and CHANG
Serial No. : 09/555,544
For : MATERIAL DEPOSITION
Filed : August 1, 2000
Examiner : Sean E. Vincent
Art Unit : 1731

745 Fifth Avenue
New York, NY 10151**EXPRESS MAIL**

Mailing Label Number: EV 073693245 US

Date of Deposit: July 19, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Honorable Commissioner of Patents and Trademarks, Washington, DC 20231.


(Typed or printed name of person mailing paper or fee)
(Signature of person mailing paper or fee)**PETITION UNDER 37 C.F.R. §1.182 AND/OR**
PETITION UNDER 37 C.F.R. §1.183 FOR SUSPENSION OF 37 C.F.R. §1.12

Commissioner for Patents
Box DAC
Washington, D.C. 20231

Dear Sir:

The undersigned hereby petitions under 37 C.F.R. §1.182 and/or 37 C.F.R. §1.183 for removal from the USPTO records of the assignment recorded on September 28, 2001 at reel 012223 and frame 0757.

PATENT
674556-2004

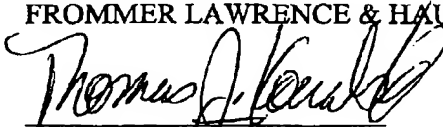
During the preparation of the assignment document, the attorneys of record erred in the redacting of the assignment, such that the assignment, as recorded, contains information that may be considered non-public or confidential. As C.F.R. §1.12 provides public access to the assignment records kept by the USPTO, the undersigned petitions removal of the assignment from the public record, or for waiver of this rule, such that the assignment is not available to the public.

Enclosed is a further redacted assignment, which remedies the errors contained in the assignment recorded on September 28, 2001.

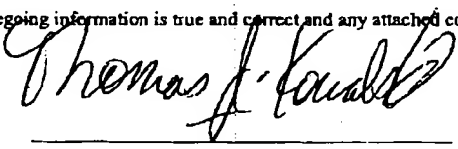
This petition is accompanied by the petition fee set forth in §1.17(h). It is respectfully requested that this petition be granted and that the assignment recorded on September 28, 2001 at reel 012223 and frame 0757 be removed from the public record.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:


Thomas J. Kowalski
Reg. No. 32,147
(212) 588-0800

FLH Ref. No.: 674556-2004

FORM PTO-1595 (Rev. 6-93)	RECORDATION FORM COVER SHEET PATENTS ONLY	U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.		
1. Name of conveying party(ies) <p style="text-align: center;">Kwang-Leong CHOY, Issac CHANG and Imperial College of Science, Technology and Medicine</p> Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies) Name: Innovative Materials Processing Technologies Limited Internal Address: Street Address: 90 Fetter Lane City: London State: GREAT BRITAIN Zip: EC4A 1JP Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment - Corrective to the assignment recorded on August 24, 2001 at reel 012109 and frame 0177 <input type="checkbox"/> Security Agreement <input type="checkbox"/> Merger <input type="checkbox"/> Change of Name <input type="checkbox"/> Other Execution Dates: September 13, 1999	4. Application number(s) or patent number(s): 09/555,544 filed December 28, 2000 If this document is being filed together with a new application, the execution date of the application is: <div style="display: flex; justify-content: space-around;"> A. Patent Application No.(s) B. Patent No.(s) </div> Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Thomas J. Kowalski Internal Address: Frommer, Lawrence and Haug, LLP Street Address: 745 Fifth Ave City: NYC State: NY Zip: 10151	6. Total number of applications and patents involved..... 1 7. Total fee (37 CFR 3.41)..... \$ 40.00 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account #50-0320 8. Deposit account number: 50-0320 (Attach duplicate copy of this page if paying by deposit account)	
Do not use this space		
9. <u>Statement and signature</u> To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.		
Thomas J. Kowalski Reg. No. 32,147		July 19, 2002
Name of Person Signing	Signature	Total number of pages including cover sheet, attachments, and document): 25
Do not detach this portion Mail documents to be recorded with required cover sheet information to: Commissioner of Patents and Trademarks Box Assignments Washington, D.C. 20231		
Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.		

**ASSIGNMENT OF UK PATENT APPLICATIONS AND
OF EQUIVALENT RIGHTS WORLDWIDE**

THIS ASSIGNMENT is made this 13th day of September 1999

BETWEEN

- (1) **DOCTOR KWANG-LEONG CHOY** of 35 Bloodvil Street, Cheylesmore, Coventry, CV3 5EQ ("Dr Choy");
- (2) **DOCTOR WEI BAI** of 2206 Brandwine Parkway, Guilderland, NY12084, United States of America ("Dr Bai");
- (3) **DOCTOR ISAAC CHANG** of 35 Bloodvil Street, Cheylesmore, Coventry, CV3 5EQ ("Dr Chang");
- (4) **DOCTOR BO SU** of 17 Norris, The Concourse, Colindale, London NW9 5UL ("Dr Su");

Collectively referred to hereafter as the "Inventors"; and

- (5) **IMPERIAL COLLEGE OF SCIENCE, TECHNOLOGY AND MEDICINE**, London SW7 2AZ ("Imperial");
- (6) **IMPERIAL COLLEGE INNOVATIONS LIMITED** (registered in England under number 2060639) whose registered office is at Sherfield Building, Imperial College, London SW7 2AZ ("IC Innovations");
- (7) **BIRMINGHAM UNIVERSITY**, Edgbaston, Birmingham, B15 2TT ("Birmingham"); and
- (8) **INNOVATIVE MATERIALS PROCESSING TECHNOLOGIES LIMITED (IMP TECHNOLOGIES)** (registered in England under number 3661153) whose registered office is at 90 Fetter Lane, London EC4A 3JP (the "Assignee")

WHEREAS:-

- (A) Imperial has applied to the Patent Office of the United Kingdom for patents under the Patents Act 1977 and all equivalents worldwide (the "Applications") in respect of the Inventions disclosed in the Applications (the "Inventions") as set out in Schedule 1 to this Agreement. By way of a series of agreements dated 13 May 1999 various of the patents listed in Schedule 1 were assigned to IC Innovations. The Inventions are the result of research carried out by the

Inventors which has resulted in the development of novel chemical compositions, delivery systems and process to apply coatings to a surface (the "Technology").

- (B) Dr Choy and Dr Su are employed by and retained under contract of employment with Imperial. Dr Chang is similarly employed by and retained under a contract of employment with Birmingham. Dr Bai was employed by Imperial at the time of the research but has since left Imperial. In each case the relevant contract of employment stipulates that all intellectual property resulting from inventions and discoveries made by the employee in the course of such employment vest in Imperial and in Birmingham respectively.
- (C) By virtue of the fact that the Inventors were, at the time of the research leading to the Inventions, employed as described in Recital (B) above, Imperial and Birmingham claim certain interests in the Inventions. Further, the Inventors, Imperial, IC Innovations and Birmingham, are jointly, proprietors of certain know-how (the "Know-how") and confidential information (the "Confidential Information") relating to the said Inventions and Technology and such Know-how and Confidential Information includes but is not limited to copyright, design rights, technical information, all data or knowledge existing at the date of this Assignment relating to the development of the Inventions and Technology together with all other information relating to the materials, manufacturing techniques and other information necessary to put the technology into practice, properly, efficiently and on a reasonable scale.

REDACTED

- (E) The Assignee wishes to obtain full rights and title to the use of the said Know-how and Confidential Information, and the Inventors, Imperial, IC Innovations and Birmingham have agreed to assign and transfer all such right and title to the Assignee, and to disclose to it such of the Know-how and Confidential Information relating to the Inventions and Technology as is in the possession of the Inventors, Imperial, IC Innovations and Birmingham as at the date of this Assignment.
- (F) The Inventors, Imperial, IC Innovations and Birmingham (collectively referred to hereinafter as the "Assignors") have agreed to assign to the Assignee the Inventions and the Applications together with the Know-how, Confidential Information and the right to make further applications as a result of research currently being conducted arising from the Inventions and all their rights, title and interests therein upon the terms and conditions set out below

REDACTED

NOW IT IS HEREBY AGREED AND DECLARED as follows:-

1. In pursuance of the agreement comprised in this Agreement and in consideration of the issue of 618 ordinary shares to IC Innovations in the capital of the Company now allotted by the Company to IC Innovations the Assignors with full title guarantee HEREBY ASSIGN unto the Assignee:
 - (a) the Inventions and the full and exclusive benefit of them
 - (b) all the rights of the Assignors in and to the Applications and the full and exclusive benefit of them and all rights privileges and advantages associated with them and the right to sue for damages and other relief in respect of past infringements;
 - (c) the full right to apply for and obtain patents or other similar forms of protection in respect of the Inventions in the United Kingdom and throughout the world;
 - (d) the right to make any new application or applications in respect of any part or parts of the subject-matter of any applications or specifications filed in connection with the Inventions in the United Kingdom and the right to claim priority under Section 5 of the Patents Act 1977 from the Applications;
 - (e) any patents under the Patents Act 1977 or other similar forms of protection granted in respect of the Inventions in the United Kingdom pursuant to the Applications;
 - (f) the right to bring proceedings (in the UK under Section 61 or Section 69 of the Patents Act 1977) for any previous infringement of the rights assigned by this Assignment;
 - (g) the right to claim priority of the Applications under the Paris Convention (as amended) when making applications in countries or territories outside the United Kingdom;
 - (h) all rights and title possessed by the Assignors in respect of the Know-how and Confidential Information and the full unfettered and exclusive worldwide right to use the Know-how and Confidential Information for any purpose whatsoever (including without limitation the filing of patent applications in respect of all or any aspect of it);

TO HOLD the same unto the Assignee absolutely.

2. The Inventors, Imperial, IC Innovations and Birmingham hereby COVENANT to disclose all the Know-how and Confidential Information known to the

REDACTED

04/10/2003 11:20 FAX 2125880800

FROMMER LAWRENCE & HAUG

017/036

REDACTED

SCHEDULE 1 - UK AND EUROPEAN PATENT APPLICATIONS

APPLICATION NUMBER	APPLICANT	INVENTORS	DATE FILED	SUBJECT MATTER
PCT/GB96/03105	Imperial College	K L Choy W Bai	16 Dec 1996	Film or coating deposition and powder formation
PCT/GB98/01558	Imperial College	K L Choy W Bai	28 May 1998	Film or coating deposition on a substrate
PCT/GB/98/00414	Imperial College	K L Choy W Bai I Chang	10 Feb 1998	Fabrication method and apparatus
GB9814191.4	Imperial College	K L Choy W Bai	30 Jun 1998	Vapour deposition
PCT/GB98/02694	Imperial College	K L Choy W Bai	7 Sept 1998	Material deposition
UK 9900955.7	Imperial College	K L Choy B Su	14 Feb 1999	Material deposition
PCT/GB/98/03636	Imperial College	K L Choy I Chang	7 Dec 1998	Material deposition

REDACTED

REDACTED

REDACTED

04/10/2003 11:21 FAX 2125880800

FROMMER LAWRENCE & HAUG

022/036

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

Signed for and on behalf of

REDACTED

Imperial College of Science, Technology and Medicine

..... (Signature)
Professor William Wakeham, Pro-Rector

Imperial College Innovations Limited

 (Signature)
Dr Jonathan Gee, Chief Executive

REDACTED

04/10/2003 11:22 FAX 2125880800

FROMMER LAWRENCE & HAUG

029/036

REDACTED

REDACTED

04/10/2003 11:22 FAX 2125880800

FROMMER LAWRENCE & HAUG

031/036

REDACTED

04/10/2003 11:22 FAX 2125880800

FROMMER LAWRENCE & HAUG

032/036

REDACTED

REDACTED

Agreed to

REDACTED

Imperial College of Science, Technology and Medicine


..... (Signature)
Professor William Wakcham, Pro-Rector

Imperial College Innovations Limited


..... (Signature)
Dr Jonathan Gee, Chief Executive

IN WITNESS of which this Assignment has been executed as a Deed and delivered the date and year first above written

SIGNED AS A DEED by
KWANG- LEONG CHOY
in the presence of:

)
) *Kwong Leong Choy*
)

Signature, name, address
and description of witness

B. G. BENNETT
30 BLONDVIL ST:
CHATELAIN MORE
COVENTRY CV3 5EQ

B. G. Bennett

SIGNED AS A DEED by
WEI BAI
in the presence of:

)
) *Wei Bai*
)

Signature, name, address
and description of witness

Tom TAO
280 JOHN R. GAZA DR.
N. ATTLEBORO, MA 01973, USA

Tom TAO

SIGNED AS A DEED by
ISAAC CHANG
in the presence of:

)
) *Isaac Chang*
)

Signature, name, address
and description of witness

J. WILLIAMSON
27 ELGAR WOODS
BLOMSGATE, WIMBORNE

J. Williamson

SIGNED AS A DEED by
BO SU
in the presence of:

)
)
)

Signature, name, address
and description of witness

T. L. Burton
114 STATION ROAD
KINGSTON, SOUTHALL
WEST MIDDLESEX 89P 0EP

[Handwritten Signature]

EXECUTED AS A DEED by
IMPERIAL COLLEGE OF
SCIENCE, TECHNOLOGY
AND MEDICINE

)
)
)
)

acting by:

[Handwritten Signature]
R. J. A. J.

EXECUTED AS A DEED by
IMPERIAL COLLEGE
INNOVATIONS LIMITED

)
)
)

acting by:

[Handwritten Signature]
Director
[Handwritten Signature]
Director/Secretary

EXECUTED AS A DEED by
BIRMINGHAM UNIVERSITY)

acting by:

Director

Director/Secretary

EXECUTED AS A DEED by)
INNOVATIVE MATERIAL)
PROCESSING TECHNOLOGIES LIMITED)

acting by

Director

Director/Secretary

THE COMMON SEAL OF
THE UNIVERSITY OF
BIRMINGHAM WAS
HEREUNTO AFFIXED
IN THE PRESENCE OF

AUTHORISED SIGNATORY

AUTHORISED SIGNATORY